



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C. 5/20/02 Item:

File Number:
GP01-06-01/GP01-T-10

Council District and SNI Area:
6 – Burbank/Del Monte

Major Thoroughfares Map Number:
83

Assessor's Parcel Number(s):
Various

Project Manager: Deanna Chow

GENERAL PLAN REPORT

2002 Spring Hearing

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Heavy Industrial to Mixed Use with No Underlying Land Use Designation (up to 675 multi-family residential units and up to 625,000 square feet of office). General Plan text amendment to amend Appendix F: Mixed Use Inventory and to modify the Urban Design Policy # 10 to allow for maximum building heights up to 220 feet for office uses on the site.

LOCATION: Both sides of Sunol Street between Savaker Street, Home Street and Highway 280

ACREAGE: 15.6 acres

APPLICANT/OWNER:

Silicon Valley Advisors/ Reed & Graham, Inc.

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Heavy Industrial

Proposed Designation: Mixed Use with No Underlying Land Use Designation

EXISTING ZONING DISTRICT(S): Heavy Industrial (HI) and Light Industrial (LI)

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Former Del Monte Packing Plant – Combined Industrial/Commercial (Midtown Planned Community)

South: Interstate 280

East: Los Gatos Creek – Public Park/Open Space

West: Southern Pacific Railroad and industrial uses – Heavy Industrial and Industrial Park

ENVIRONMENTAL REVIEW STATUS:

Reed and Graham, Inc. General Plan Amendments Environmental Impact Report (EIR) - Pending

PLANNING STAFF RECOMMENDATION:

Planning staff recommends Mixed Use with No Underlying Land Use Designation (up to 675 dwelling units, up to 625,000 square feet of office and up to 4.6 acres of Public Park/Open Space), associated changes to Appendix F: Mixed Use Inventory, and no change to Urban Design Policy #10.

Approved by:
Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

San Jose Parks and Recreation Commission - The Commission indicated that the City is in the process of acquiring creek side land and implementing the Los Gatos Creek Trail adjacent to the subject site. Redevelopment of the site should be sensitive and incorporate the trail. The Commission also stated that if a significant component of the project is residential uses, the City should consider having the developer provide additional neighborhood parkland on or near the project site, perhaps in close proximity to the Los Gatos Creek Corridor.

Department of Public Works – Planning staff received comments from the Department of Public Works indicating that the site is not in a Flood Zone, Geologic Hazard Zone, State Landslide Zone or State Liquefaction Zone. It has been identified that the site has inadequate sanitary and storm water capacity, major access constraints, potential traffic LOS/operational impacts on nearby intersections and 280 ramps, potential street widenings of Auzerais near the project area, and potential improvements needed at nearby railroad crossings. At the project stage, a Traffic Impact Analysis will be required.

Department of Transportation – The proposed General Plan land use change will not have a long term significant traffic impact.

Airport Department – The proposed maximum building height limit of 220 feet appears to exceed FAA imaginary surface elevation standards applicable to a portion of the site. Pursuant to Federal Aviation Regulation, Part 77, any structure which would exceed FAA imaginary surface standard, or which would be at least 200 feet in height above ground, would be required to be submitted to the FAA for an airspace safety evaluation. The City would require such high rise development to obtain an FAA “Determination of No Hazard” prior to approval and to dedicate aviation easements to the City as a condition of approval.

GENERAL CORRESPONDENCE:

See Public Outreach

ANALYSIS AND RECOMMENDATIONS:**PROJECT DESCRIPTION**

This is a privately-initiated General Plan amendment that was deferred during the 2001 General Plan Annual Review for completion of an Environmental Impact Report. The General Plan amendment requests to change the Land Use/Transportation Diagram from Heavy Industrial to Mixed Use with No Underlying Land Use Designation on a 15.6-acre site located on both sides of Sunol Street between Savaker Street, Home Street and Highway 280. This is the Reed and Graham site. The Mixed Use with No Underlying Land Use Designation category requires that a minimum of two uses be combined with no use occupying less than 10% of the site area or less than 10% of the total building square footage proposed. The uses and intensity ranges would be specifically described in Appendix F of the General Plan. The proposed amendment requests a mix of uses, including up to 675 multi-family residential units and up to 675, 000 square feet of office space.

In addition, the applicant is requesting a text amendment to Urban Design Policy #10 to increase the maximum building height from 120 feet to 220 feet for office uses on the site.

BACKGROUND

The City of San Jose has taken a proactive approach to planning the Midtown area to guide coordinated change through implementation of the Midtown Specific Plan and the pending Burbank/Del Monte Strong Neighborhood Initiative Plan. The subject site is located within the Burbank/Del Monte SNI area and is adjacent to the southern edge of the Midtown.

Midtown Specific Plan

The Midtown area is comprised of approximately a 210-acre, “J” shaped area, extending from The Alameda/Santa Clara Street (generally between Sunol Street and Los Gatos Creek) to properties south of Auzerai Avenue. In 1992, the City Council adopted the Midtown Specific Plan to provide a vision for the changing dynamic and character of the area. The Plan is intended to create a new mixed-use, transit-oriented, pedestrian friendly community that includes high density residential and commercial uses, while maintaining some industrial and service uses. The Plan is responding to citywide and regional objectives while addressing the changing needs of the community.

In 2001, the City Council approved additional changes to the Midtown Specific Plan through adoption of a couple of General Plan amendments (GP00-06-01b and GP00-06-04) that supported and strengthened the intent of the Midtown Plan. General Plan amendment number GP001-06-01b provided for high density, mixed-use development at the former Del Monte Packing Plant bounded by the railroad tracks to the west, West San Carlos Street to the north, Los Gatos Creek to the east and Auzerai Avenue to the south. The northern portion of the Del Monte property is now designated for transit-oriented mixed-use development, with residential densities ranging from 40 to 100 DU/AC. The Del Monte site is accessible to the planned and funded Race light rail station on the Vasona Light Rail line. A light rail stop is also proposed, but not yet funded, adjacent to the Del Monte property south of San Carlos Street.

GP00-06-04 is a 12.6-acre area located just east of the multi-modal Diridon Station, which is a transit hub offering Amtrak, CalTrain, ACE Transit, VTA bus services, and the future Vasona Light Rail and BART lines. The amendment increased the density of the residential component of the Mixed-Use designation in an effort to facilitate higher density housing in appropriate locations. The upper end of the density range is now 150 DU/AC.

Burbank/Del Monte Strong Neighborhood Initiative

The most recent effort in the Midtown area of San Jose is the development of the Burbank/Del Monte Neighborhood Improvement Plan that is a product of the Strong Neighborhood Initiative (SNI) partnership launched in February 2001. The Burbank/Del Monte SNI area is generally delineated by Highway 17 on the western edge, Los Gatos Creek to the east, San Carlos Street and portions of Forest Avenue, Park Avenue and The Alameda to the north, and Fruitdale Avenue, Southwest Expressway and Interstate 280 to the south. City staff, community members and business owners collaborated to create the Improvement Plan. The plan identifies goals and action items for improving the community, ranging from business development strategies to creating more open space to initiating regular neighborhood clean up events. The plan is anticipated to be adopted by the City Council in May 2002. The General Plan amendment site is located within the Burbank/Del Monte SNI area.

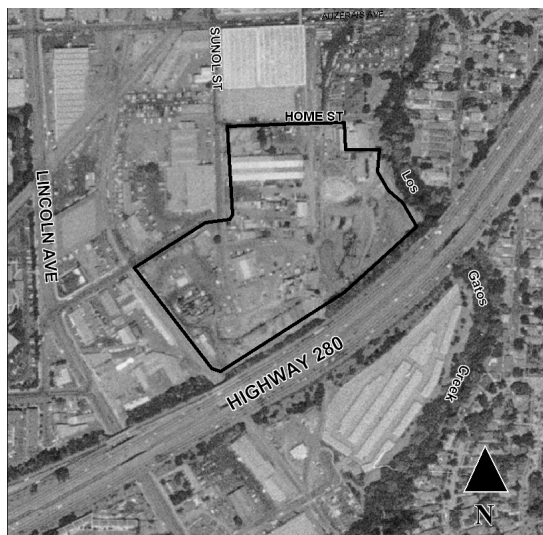
Vasona Light Rail Project

As part of 1996 Measure B Transportation Improvement Program, the Valley Transportation Authority has begun construction of three light rail extensions in Silicon Valley. The Vasona Light Rail Transit (LRT) Project is a 6.8-mile extension from downtown San Jose to Vasona Junction in Los Gatos. Phase I, a 5.3 mile extension from Woz Way in downtown to Winchester Station in Campbell, began construction in March 2001 and is anticipated to open in Fall 2004. Phase II is a 1.5 mile extension from Winchester in Campbell to Vasona Junction in Los Gatos. The Vasona Light Rail will operate primarily on the existing Union Pacific Railroad right-of-way with the segment between the San Fernando and San Jose Diridon Stations operating within a tunnel alignment. The site is within a reasonable walking distance to the planned Race station and the future San Carlos station on the Vasona LRT.

Existing and Surrounding Land Uses

The 15.6-acre site is comprised of many parcels used for various heavy industrial uses, predominantly the Reed and Graham asphalt production and recycling operation and its related uses. The site includes an asphalt emulsion plant, a crusher plant, broken asphalt stockpiles, equipment storage yard, a trailer office, cellular transmission tower, abandoned railways, offices, a workshop, laboratory and geosynthetics offices, geosynthetics warehouse and spirit operations, and a single-family residence. The heavy industrial uses on the site are consistent with the existing land use designation of Heavy Industrial in the General Plan. A change in land use designation would not require or force the existing operations to close. However, a change in the General Plan land use designation would determine which land uses can be approved on the property in the future.

The site is bounded by the Del Monte Packing Plant to the north, Los Gatos Creek and single-family residences to the east, Highway 280 to the south and industrial uses to the west. The General Plan land use designation is Combined Industrial/Commercial (Midtown Specific Plan) to the north, Medium Density Residential (8-16 DU/AC) to the east, and Industrial Park and Heavy Industrial to the west.



Looking west northeast from Sunol



Looking southeast on the subject site



Looking south onto the subject site

Land Use Compatibility/Policy Consistency

The changing nature of the Midtown and Burbank/Del Monte areas reflects citywide objectives and responds to the neighborhoods' interest in appropriate, new development. Much of the future planning in the area is directed towards revitalization by building community through attractive, accessible and economically thriving mixed-use transit-oriented development. The change in land use designation from Heavy Industrial to Mixed Use with No Underlying Land Use Designation is consistent with the General Plan's Housing Major Strategy and the Transit-Oriented Housing objective of the Burbank/Del Monte Improvement Plan. As identified in the Improvement Plan, the housing revitalization concept encourages intensification along major transit corridors and near light rail stations. The subject site is within a reasonable walking distance of the planned Race station as well as the future West San Carlos station along the Vasona Light Rail line. Intensification near transit facilities can be mutually beneficial, supporting both the use of public transit and commercial, employment and housing opportunities in the area.

Approval of the proposed land use amendment would result in the loss of approximately 16 acres of Heavy Industrial lands. The site is the last remaining pocket of Heavy Industrial designated land in the area. Adjacent lands include Light Industrial and Combined/Industrial land use designations. A recent report has indicated that over the past 20 years, San Jose has lost 32% of its light and heavy industrial lands, resulting in a decline in low and medium skilled job opportunities. Through recent efforts to preserve the city's industrial land inventory, the City has over 2,000 acres of Heavy Industrial and 1,200 acres of Light Industrial lands strictly for those uses. Heavy industrial lands should be located in appropriate places such as near major access points, industrial suppliers and other heavy industrial uses. The existing Heavy Industrial designation in this area may no longer be appropriate given the changing character of the area.

The proposed land use change would reflect the changing nature of the greater Midtown and Burbank/Del Monte area to mixed-use development and would facilitate development along the planned Vasona LRT line. The amendment is proposing up to 675 multi-family residential units, which is approximately 43 dwelling units per acre for the entire site. Development at this density is typified by three or four-story

apartment or condominium buildings over parking. Given the site's proximity to a planned light rail station, future development may increase in height, facilitating higher density development in concentrated locations. The overall average density would not exceed 43 dwelling units per acre. The proposed change is consistent with several General Plan Major Strategies, including Growth Management, Housing and Sustainable City. These strategies support the increase of residential densities near rail stations, infill development and efficient use of resources. The proposed amendment is also consistent with several General Plan Policies such as Balanced Community Policy #2 and Residential Land Use Policy #3, which encourage higher density housing near light rail lines and other major transportation facilities.

The applicant is also requesting an office component to the mixed-use designation, incorporating up to 625,000 square feet of office uses. The addition of office uses would create job opportunities and help create a more balanced community which is consistent with the Economic Development Major Strategy and Balanced Community Policy #1. The proposed intensity of up to 625,000 square feet of office uses has the potential to create a major employment center for the area. Recent approvals of office uses are beginning to transform the character of the area. Most recently, an office complex was approved on northeast corner of Meridian Avenue and Parkmoor Avenue. The complex includes an existing structure (approximately 60,000 square feet) and two additional buildings totaling approximately 152,000 square feet. The two new buildings are three stories and approximately 50 feet in height, including the parapet. The proposed maximum square footage of office on the Reed and Graham site is 675,000 square feet. As a maximum, it is entirely possible that actual office development could be much less. However, given the acreage size and the existing 120-foot height limit, the maximum square footage could be achieved. The new office uses can complement nearby established neighborhoods and support commercial uses in the area.

Currently, staff is working on a land use plan for the "Midtown South" area which is generally bounded by West San Carlos to the north, Los Gatos Creek to the east, Highway 280 to the south and Race Street/ Lincoln Avenue to the west. This study area incorporates some area of the current Midtown Plan, including the Del Monte Plant, and the current amendment subject site. This area has historically been typified by industrial uses. Staff is in the preliminary stages of identifying appropriate land uses and densities for the area to support infill residential and non-residential development, efficient use of resources, and commercial revitalization. Planning staff anticipates this work to be part of the Housing Opportunity Study Phase III proposals during the Fall 2002 General Plan review. The proposed General Plan amendment on the Reed and Graham is compatible with the working concepts of the Midtown South Study Area.

No specific development has been proposed on the Reed and Graham site. Specific performance standards such as setbacks, parking, architectural treatment would be addressed at the rezoning stage to ensure compatibility between uses and the surrounding community. Additionally, the development would need to be sensitive to the Los Gatos Creek which is the eastern border of the site. The City is currently working on the alignment and acquiring land for the Los Gatos Creek trail; specifically the Reed and Graham site is located within the Lincoln-Auzerais portion. In February 2002, acquired approximately 17,000 square feet (less than half acre) of land for trail improvements. Redevelopment of the site would need to accommodate this trail.

Furthermore, the City's Parkland Dedication Ordinance requires all residential development to dedicate land or pay in-lieu fees for any net increase in residential units. Typically, in-lieu fees are paid for projects consisting of less than 50 new dwelling units. The development of up to 675 dwelling units

would add a significant number of new residents to an area that is already underserved by public parks. Staff recommends designating up to 4.6 acres for Public Park/Open Space based upon the requirements of Chapter 14.25 and 19.38 of the San Jose Municipal Code. This amount of parkland can be flexible based upon the number of dwelling units proposed at the zoning stage. As identified in the General Plan, the Service Level Objective is to have 3.5 acres of neighborhood/community serving parkland per 1,000 population. District 6 and especially the Burbank/Del Monte Area is deficient in parkland. The Public Park/Open Space designation would help ensure the needed development of park at the zoning stage and benefit not only the new occupants, but also the surrounding existing neighborhood. At the time of development, it will be important to consider the park's design and integration into the development and accessibility to the neighborhood and Los Gatos Creek Trail to create synergy. The addition of Public Park/Open Space to the mixed use definition on this site supports the Parks and Recreation Goal # 1 which states that the City should consider as an objective the provision of neighborhood or community park within a reasonable walking distance for each resident.

Staff recommends changing the land use designation from Heavy Industrial to Mixed Use with No Underlying Land Use Designation to include up to 675 multi-family residential units, up to 625,000 square feet of office and up to 4.6 acres of Public Park/Open Space.

Height Text Amendment

In addition to the proposed land use amendment, the applicant is requesting a text amendment to Urban Design Policy #10 which addresses maximum building heights in the city. In 2001, the City Council approved a text amendment that provided a height exception to the 50 foot height limit in Transit Areas. The modification states that within a reasonable walking distance to an existing or designated passenger rail station, the maximum height limit shall not exceed 120 feet. The actual height limit is determined at the zoning or permit stage based on compatibility and conformance with other City policies and guidelines. The subject site is located within a reasonable walking distance to the Race station on the Vasona LRT. The General Plan text amendment requests to increase the maximum building height from 120 feet to 220 feet for the office uses.

The General Plan directs intensification in appropriate areas such as sites located within a reasonable walking distance to an existing or designated passenger rail station, and in the Downtown Core and Downtown Frame Areas. Development in the Downtown Core is limited by the air space requirements of the San Jose International Airport and in the Frame, it is limited to 120 feet in height. Urban Design Policy #10 articulates the intent to have taller buildings in appropriate locations and also provides order to the distribution of heights within San Jose. As San Jose continues to mature as a city, its major activity centers (particularly Downtown) should have a clear visual presence, contributing to San Jose's overall identity. Allowing height limits at the subject site comparable to those in Downtown would create an unorganized look, detract from Downtown as a focal point, and introduce land uses out of scale with their surroundings. The existing 120 foot height limit already allows for an appropriate level of intensification on the subject site. It is anticipated that the proposed development intensity can be achieved with the existing 120 foot height limit. Staff recommends no change to Urban Design Policy #10.

Environmental Issues

An Environmental Impact Report entitled, "Draft Environmental Impact Report (EIR) for the Reed and Graham, Inc. General Plan Amendment," provides program level environmental review appropriate for the

adoption of amendments to the San Jose 2020 General Plan. The EIR analyzed impacts and proposed mitigation measures, where possible, on the following items:

- Land Use and Aesthetics
- Transportation and Circulation
- Air Quality
- Noise
- Geology and Soils
- Surface Hydrology and Water Quality
- Hazardous Materials
- Biological Resources
- Cultural Resources
- Services and Utilities
- Energy

The EIR identified several significant and unavoidable impacts, including air quality and cumulative impacts. The proposed General Plan amendment would result in an increase in residential units, which could potentially lead to an increase in the population base. Air quality is considered a significant and unavoidable impact because the project proposes additional residential units not reflected in the Bay Area Air Quality Management District's (BAAQMD) Clean Air Plan. Under BAAQMD thresholds, the technical inconsistency must be identified as a significant regional air quality impact.

The implementation of the proposed General Plan amendment in conjunction with other proposed General Plan amendments would result in a significant and unavoidable cumulative impact on traffic in the long term.

PUBLIC OUTREACH

The property owners within the amendment site boundaries and/or property owners within a 1000-foot radius of the amendment site were sent a newsletter regarding the three community meetings that were held on April 10th, 16th, and 18th 2002. They also received a public hearing notice regarding the public hearings to be held on the subject amendment before the Planning Commission in May and City Council in June. In addition, the community can be kept informed about the status of amendments on the Department's web-site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing schedule.

At the community meetings, a member of the community expressed concern regarding the loss of industrial lands and the need for economic development.

RECOMMENDATION

Staff recommends Mixed Use with No Underlying Land Use Designation

- Up to 675 multi-family dwelling units
- Up to 625,000 square feet of office
- Up to 4.6 acres of Public Park/Open Space

Staff recommends no change to Urban Design Policy #10.

Attachments

PROPOSED TEXT AMENDMENT

Amend Mixed Use Inventory **page F-4 Appendix F** as follows:

Map Reference Number	Location	Amendment File Number	Use Mix	Use Intensity Range¹
<u>MU#16</u>	<u>Both sides of Sunol Street between Savaker Street, Home Street and Highway 280</u>	<u>GP01-06-01/ GPT01-06-01</u>	<u>Multi-family residential</u> <u>Office</u> <u>Public Park/Open Space</u>	<u>Up to 675 dwelling units</u> <u>Up to 625,000 sq. ft.</u> <u>Up to 4.6 acres</u>

¹ Any numbers in parentheses represent the greatest allowable intensity in that use category when any other category in the combinations to be developed at the top of its range. Parenthetical intensities may be increased commensurate with decreases from top of the range intensities in other categories.